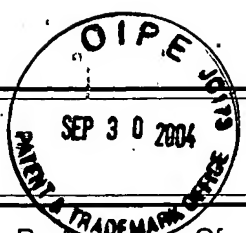


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| TRANSMITTAL LETTER (General - Patent Pending) | DIVISION | Docket No. RM375u |
|---|----------|----------------------|

In Re Application Of: Sheppard et al.

2004 OCT -5 PM 4:04

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|-------------------------------|---------------------------|--------------------------|-----------------------|------------------------|--------------------------|
| Application No. 10/612,573 | Filing Date 07/01/2003 | Examiner Kim, Tae Jun | Customer No. 23996 | Group Art Unit 3746 | Confirmation No. 4294 |
|-------------------------------|---------------------------|--------------------------|-----------------------|------------------------|--------------------------|

Title: Integrated Fischer-Tropsch and Power Production Plant with Low CO2 Emissions

COMMISSIONER FOR PATENTS:

Transmitted herewith is:

Submission and Itemization of Fees Erroneously Paid as Small Entity Pursuant to 37 CFR 1.28(c); Notification of Loss of Small Entity Status Pursuant to 37 CFR 1.27(g)(2) and Acknowledgment Postcard.

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in the above identified application.

- ☐ No additional fee is required.
- ☒ A check in the amount of **\$431.00** is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. **50-0617** as described below.
 - ☐ Charge the amount of
 - ☒ Credit any overpayment.
 - ☒ Charge any additional fee required.
- ☐ Payment by credit card. Form PTO-2038 is attached.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Aileen Law

Signature

Dated: 9/29/2004

Aileen Law, Reg. No. 51,923
 Patent Law Offices of Rick Martin, P.C.
 416 Coffman Street
 Longmont, CO 80501
 303-651-2177

| |
|--|
| I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as <u>Express mail</u> in an envelope addressed to the "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" on <u>9-30-04</u> Express No. <u>371303918 US</u> (Date) |
| <i>Sara A. Gossman</i> Signature of Person Mailing Correspondence |
| Sara A. Gossman Typed or Printed Name of Person Mailing Correspondence |

10/06/2004 DALLEN 00000071 10612573
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 CC:



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | | |
|-----------------------|--|------------------|--------------|
| In re Application of: | Sheppard <i>et al.</i> | Group Art Unit: | 3746 |
| Serial No.: | 10/612,573 | Examiner: | Kim, Tae Jun |
| Filed: | 07/01/2003 | Attorney Docket: | RM375u |
| For: | Integrated Fischer-Tropsch and Power Production Plant with Low CO ₂ Emissions | | |

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

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OCT 07 2004

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**SUBMISSION AND ITEMIZATION OF FEES ERRONEOUSLY PAID AS SMALL
ENTITY PURSUANT TO 37 CFR 1.28(c); NOTIFICATION OF LOSS OF SMALL
ENTITY STATUS PURSUANT TO 37 CFR 1.27(g)(2)**

Dear Sir:

In compliance with 37 CFR 1.28(c), please find a separate submission and itemization of fees erroneously paid under small entity status, and the deficiency payment required. The original status as small entity was established in error without deceptive intent, and small entity fees were paid in good faith. The deficiency amount owed has been calculated using the date on which the deficiency was paid in full.

This submission serves as a notification of loss of small entity status under 37 CFR 1.27(g)(2).

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on: September 30, 2004.

Express Mail No. EV 371303918 US

| Type of Fee Involved | Current Fee Amount for a Non-Small Entity | Small Entity Fee Paid | Date Small Entity Fee Paid | Deficiency Owed for Each Fee Previously Paid in Error |
|--|---|-----------------------|----------------------------|---|
| Utility Application Filing Fee | \$770.00 | \$375.00 | 07/01/2003 | \$395.00 |
| Additional Fee for four (4) extra claims | \$72.00 | \$36.00 | 07/01/2003 | \$36.00 |

Total Deficiency Owed:

\$431.00

Respectfully Submitted,



Aileen Law, Reg. No. 51,923
Patent Law Offices of Rick Martin, P.C.
416 Coffman Street
Longmont, CO 80501
(303) 651-2177

Date: 9/29/2004



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416 COFFMAN STREET
LONGMONT, CO 80501

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OCT 20 2004

In re Application of : **OFFICE OF PETITIONS**
Richard O. Sheppard et al :
Application No. 10/612,573 : NOTICE
Filed: July 1, 2003 :
Attorney Docket No. RM375u :


This is a notice regarding your request for acceptance of a fee deficiency submission under 37 CFR 1.28. On September 1, 1998, the Court of Appeals for the Federal Circuit held that 37 CFR 1.28(c) is the sole provision governing the time for correction of the erroneous payment of the issue fee as a small entity. See DH Technology v. Synergystex International, Inc. 154 F.3d 1333, 47 USPQ2d 1865 (Fed. Cir. Sept. 1, 1998).

The Office no longer investigates or rejects original or reissue applications under 37 CFR 1.56. 1098 Off. Gaz. Pat. Office 502 (January 3, 1989). Therefore, nothing in this Notice is intended to imply that an investigation was done.

Your fee deficiency submission under 37 CFR 1.28 is hereby **ACCEPTED**.

Inquiries related to this communication should be directed to Wan Laymon at (571) 272-3220.

This matter is being referred to Technology Center AU 3746.


Wan Laymon
Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy